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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,426	08/19/2003	Londrew Glenn Terrell	TERR01-00002	4521

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EXAMINER

SAEED, USMAAN

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2166

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/643,426	Applicant(s) TERRELL, LONDREW GLENN	
	Examiner Usmaan Saeed	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>08/19/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 are pending in this office action.

Information Disclosure Statement

2. Applicants' Information Disclosure Statement, filed on 08/19/2003 has been received, entered and considered. See attached form PTO-1449.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Adapter 212, Expansion bus interface 214, I/O bus 216, I/O bus 416 and Keyboard mouse adapter 218. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be

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notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Reference numeral 226 and Keyboard mouse adapter 228. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "222" has been used to designate both LAN/WAN/WiFi adapter and I/O adapter and reference character "224" has been used to designate both Expansion bus interface and Audio adapter. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of

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the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 5-6, 8, 10, 12-13, 15, 17, 19-20 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by **Begeja et al.** (**Begeja** hereinafter) (U.S. PG Pub No. 2003/0120748).

With respect to claim 1, **Begeja teaches a method for distributing video clips, comprising:**

“receiving a search request” as video server 220 responds to the clip requests and make the video content available to the client 250 (**Begeja Paragraph 0050**).

“including at least one search term” as the keyword string is used to search the CC text (in this case, clips that have any of these terms will be valid) (**Begeja Paragraph 0056**).

“identifying at least one video clip corresponding to the search term” as when streaming the identified video clips, users may receive only those clips identified by a search executed on the user’s behalf (**Begeja Paragraph 0035**).

“transmitting the video clip in a streaming-video format” as the invention relates to a method and system for transforming streaming video content for delivery to devices not equipped to receive data in video format (**Begeja Paragraph 0003**).

“transmitting the video clip in a video-file format, wherein the video clip is a portion of a longer video” as the video server 220 may download the video clips in whole or in part, stream the clips (e.g., via MPEG4 ASF or MPEG2) to the client 250 or generate the clip metadata discussed above (such as terms and/or phrases associated with a clip for categorizing the clip within a topical subset) (**Begeja Paragraph 0050**).

Claims 8 and 15 are essentially the same as claim 1 except they set forth the claimed invention as a computer program product and a system, and are rejected for the same reasons as applied hereinabove.

With respect to claim 3, **Begeja** teaches, **“the method of claim 1, further comprising transmitting a list of video clips corresponding to the search term”** as DHTML is used to dynamically load DIV content on the fly (for instance, a list of shows in an instant search pulldown performed by a user) (**Begeja** Paragraph 0052). The JavaScript may also run a query to get the list of shows with clips for a particular topic (**Begeja** Paragraph 0058).

Claims 10 and 17 are essentially the same as claim 3 except they set forth the claimed invention as a computer program product and a system, and are rejected for the same reasons as applied hereinabove.

With respect to claim 5, **Begeja** teaches **“the method of claim 1, wherein the search term identifies the subject-matter content of a video clip”** as relevant information that might be embedded into a media stream being delivered as just described might include, for example, information about the subject matter of the stream or information related thereto (**Begeja** paragraph 0092).

Claims 12 and 19 are essentially the same as claim 5 except they set forth the claimed invention as a computer program product and a system, and are rejected for the same reasons as applied hereinabove.

With respect to claim 6, **Begeja** teaches, **“the method of claim 1, wherein the search term identifies a concept illustrated by the video clip”** as in section 505, still frames of the beginning of each clip (i.e., thumbnails) within a topic can be viewed by the user. Section 505 can be controlled by section 515, which allows the user to select a topic of clips to be shown, as well as section 520, which allows a user to select a portion of the clips from that topic that will be played. With buttons 560 and 565, a user may clear or select all of the clips being shown within a particular topic (**Begeja** Paragraph 0068). An example of a topic could be “sports” and the keyword string associated with this topic could be football, baseball, hockey (**Begeja** Paragraph 0056).

Claims 13 and 20 are essentially the same as claim 6 except they set forth the claimed invention as a computer program product and a system, and are rejected for the same reasons as applied hereinabove.

With respect to claim 22, **Begeja** teaches **“a data processing system having at least a processor and accessible memory, comprising** (**Begeja** Fig 2 & 7).

“a data storage device storing a plurality of video files” as archive database 240, which contains saved clip information (e.g., entire clips or simply clip pointers) (**Begeja** Paragraph 0053). **“each video file being stored in a format that can be transmitted over a data processing system network”** as when streaming the identified video clips, user's may receive only those video clips identified by a search executed on the user's behalf. However, if a user desires, he or she may also choose

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to view an entire program from which the clip(s) was extracted. A user may also be allowed to choose some or all of the video clips for long-term storage, whereby the clip(s) can be archived for later use. In one embodiment, the user may store the clips at a local computer, and thereafter make the clips available to other users connected via a peer-to-peer network (**Begeja Paragraph 0035**). **“each video file being a digitally-encoded audio-video clip”** as it should be noted that the terms "video file," "video input," "video," "video program" or any similar term refers generically to any analog or digital video information, including any content associated therewith, such as multimedia content, closed caption text, etc (**Begeja Paragraph 0039**).

“a database storing keywords associated with the video files” as these three databases include show database 235, which contains information about recorded broadcasts, Profile database 245, which contains personal search terms and/or phrases, (**Begeja Paragraph 0053**). **“wherein at least one of the video files is associated with at least one keyword”** as in section 505, still frames of the beginning of each clip (i.e., thumbnails) within a topic can be viewed by the user. Section 505 can be controlled by section 515, which allows the user to select a topic of clips to be shown, as well as section 520, which allows a user to select a portion of the clips from that topic that will be played. With buttons 560 and 565, a user may clear or select all of the clips being shown within a particular topic (**Begeja Paragraph 0068**). An example of a topic could be “sports” and the keyword string associated with this topic could be football, baseball, hockey (**Begeja Paragraph 0056**). **“and wherein at least one keyword identifies the subject-matter content of the audio-video clip”** as relevant

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information that might be embedded into a media stream being delivered as just described might include, for example, information about the subject matter of the stream or information related thereto (**Begeja** paragraph 0092).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 4, 9, 11, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Begeja et al.** (U.S. PG Pub No. 2003/0120748) as applied to claims 1, 3, 5-6, 8, 10, 12-13, 15, 17, 19-20 and 22 above, in view of **Bowser et al.** (**Bowser** hereinafter) U.S. PG Pub No. 2002/0105529.

With respect to claim 2, **Begeja** teaches “**display the video clip in a presentation**” as figure 6 indicates whether the device typically provides the capability for a user to be presented with text, audio, image or video media (**Begeja** Paragraph 0005).

Begeja discloses the elements of claim 2 as noted above but does not explicitly teach the step of **“transmitting a license.”**

However, **Bowser** discloses, **“transmitting a license”** as a license key may be required to issue a final video clip file for distribution. The video data file being edited may be encrypted in the manner described above. Following editing, the final version is ready for release but still encrypted. To decrypt the file, the user associates a license key with the file, which allows for its decryption and release for distribution. The license key information, or the encryption key information, or both, may be kept as part of the released file to ensure that each released file has a unique key associated therewith (**Bowser** Paragraph 0021).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Bowser’s** teaching would have allowed **Begeja** to provide access to the captured video only through the specified licensed system and to ensure that the software operates only on the licensed system (**Bowser** Paragraph 0016).

Claims 9 and 16 are essentially the same as claim 2 except they set forth the claimed invention as a computer program product and a system, and are rejected for the same reasons as applied hereinabove.

With respect to claim 4, **Begeja** does not explicitly teach **“the method of claim 1, further comprising receiving payment information.”**

However, **Bowser** discloses “the method of claim 1, further comprising receiving payment information” as the user may transmit payment information in a secure transaction to the server computer to pay for the additional licenses. Some examples of payment information the user may send are credit card or debit card information, bank account information or information about any other similar type of payment mechanism (**Bowser** Paragraph 0073).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Bowser's** teaching would have allowed **Begeja** to provide access to the captured video only through the specified licensed system and to ensure that the software operates only on the licensed system (**Bowser** Paragraph 0016).

Claims 11 and 18 are essentially the same as claim 4 except they set forth the claimed invention as a computer program product and a system, and are rejected for the same reasons as applied hereinabove.

6. Claims 7, 14 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Begeja et al.** (U.S. PG Pub No. 2003/0120748) as applied to claims 1, 3, 5-6, 8, 10, 12-13, 15, 17, 19-20 and 22 above, in view of **Richard S. Paiz** (**Paiz** hereinafter) U.S. PG Pub No. 2002/0072996.

With respect to claim 7, **Begeja** does not explicitly teach **“the method of claim 1, wherein the search term is a reference to at least one Bible verse, and the video clip illustrates the concept addressed by the Bible verse.”**

However, **Paiz** discloses **“the method of claim 1, wherein the search term is a reference to at least one Bible verse, and the video clip illustrates the concept addressed by the Bible verse”** as then the system would search for video feeds of movies of Jesus and based on the personal profile broadcast the appropriate video feed showing the Lord Jesus Christ performing the miracle of the multiplication of food and then showing thousands of families assembled partaking with the Lord (**Paiz** Paragraph 0059).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of the cited references because **Bowser’s** teaching would have allowed **Paiz** to provide a system which permit complete control of access and interaction by the church (**Paiz** Paragraph 0010).

Claims 14 and 21 are essentially the same as claim 7 except they set forth the claimed invention as a computer program product and a system, and are rejected for the same reasons as applied hereinabove.

Conclusion

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7. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure is listed on 892 form.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usmaan Saeed whose telephone number is (571)272-4046. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571)272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Usmaan Saeed
Patent Examiner
Art Unit: 2166



Hosain Alam
Supervisor

US
February 10, 2006